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New Caledonia

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 January 2015. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: New Caledonia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France. New Caledonia is defined as a French overseas sui generis community under the French Constitution and has enhanced autonomy.

Representative of administering Power: Mr. Vincent Bouvier, French High Commissioner (since 18 August 2014).

Geography: Located in the Pacific Ocean, about 1,500 km east of Australia and 1,700 km north of New Zealand. It comprises one large island, known as Grande Terre, and smaller islands known as the Loyalty Islands, the Bélep Archipelago, the Isle of Pines and the Huon Islands. There are also several uninhabited islands to the north of the Loyalty Islands.

Land area: 18,575 km² (the Territory as a whole); 16,750 km² (Grande Terre).

Exclusive economic zone: 1,422,543 km².

Population: 268,767 (2014 census).

Life expectancy at birth: 80.4 years for women and 74 years for men.

Ethnic composition: 40.3 per cent Melanesians, mainly Kanaks; 29.2 per cent persons of European origin, mainly French; 8.7 per cent Wallisians and Futunians; 2 per cent Tahitians; 1.6 per cent Indonesians; 1 per cent Vietnamese; 0.9 per cent Vanuatuans; and 16.2 per cent populations classified by the French National Institute of Statistics and Economic Studies as "others".

Languages: The official language is French. About 27 Kanak vernacular languages are spoken in geographically distinct regions.

Capital: Nouméa, located in the south of Grande Terre.

Head of territorial Government: Ms. Cynthia Ligeard (since June 2014).

Main political parties: The Congress includes five political groups as a result of the 2014 provincial elections. The three anti-independence groups are Calédonie ensemble, Front pour l'unité (consisting of Rassemblement-UMP, Avenir ensemble, Mouvement de la diversité and Mouvement démocrate) and Union pour la Calédonie dans la France (consisting of Mouvement populaire calédonien, Rassemblement pour la Calédonie and Mouvement républicain calédonien). The two pro-independence groups are UC-FLNKS et nationalistes (Union calédonienne-Front de libération nationale kanak socialiste, Union calédonienne, Union pour construire les Loyauté, Dynamique unitaire Sud and Parti travailliste) and UNI-Palika (Union nationale pour l'indépendance-Parti de libération kanak).

Elections: The most recent elections were held on 23 and 30 March 2014 (municipal) and 11 May 2014 (provincial).

Legislature: Congress of New Caledonia.

Gross domestic product per capita: $34,262.

Unemployment rate: 14 per cent (total unemployed as a percentage of the workforce in 2011).

Economy: Mining industry (notably nickel), construction and tourism.

Monetary unit: CFP franc.

Brief history: In 1774, the British captain James Cook discovered Grande Terre and named it "New Caledonia". France annexed New Caledonia on 24 September 1853. In 1942, the United States of America chose New Caledonia for its military base in the Pacific. Some 20,000 New Zealand soldiers were stationed in New Caledonia during the Second World War. In 1946, France made New Caledonia an overseas Territory with limited autonomy. In the 1970s, supporters of independence were highly active, leading to violence during the 1980s known as the "*événements*" (events). In 1988, the Matignon Accords led to the establishment of three provinces with the aim of restoring the balance of power. Some 10 years later, in 1998, the Nouméa Accord planned for the progressive autonomy of the Territory. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of office of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members, to hold the referendum. After that time, the date will be set by the administering Power between May and November 2018

I. Constitutional, political and legal issues

1. New Caledonia is a sui generis community within the French Republic, governed under part XIII of the Constitution ("Transitional provisions pertaining to New Caledonia"). The French Minister for Overseas Territories, Ms. George Pau-Langevin, has responsibility for New Caledonia, and in this regard ensures the coordination and implementation of the French Government's actions in accordance with the Territory's status and organization. The administering Power is represented in the Territory by a High Commissioner, who exercises the authority of the French Republic in New Caledonia. This position is currently held by Mr. Vincent Bouvier. Under the Organic Law of 19 March 1999 concerning New Caledonia, the administering Power retains prerogatives in a number of areas, including diplomacy, immigration and aliens, currency, the Treasury, trade, defence, justice and maintenance of law and order. In the area of defence, the High Commissioner performs functions prescribed by the relevant legislation. The High Commissioner may declare a state of emergency as provided for under the relevant legislation; he or she must refer the matter to the Minister for Overseas Territories after informing the Government of New Caledonia. Under the territorial structure, the Office of the High Commissioner in the Territory is the seat of the defence sector of New Caledonia. Just over 2,200 French military personnel, including members of the gendarmerie, are stationed in the Territory.

2. The Territory is part of the metropolitan French judicial system, with some special features such as the obligation to use customary judges in cases involving disputes between persons with customary civil status. The Court of Appeal is located in the capital, Nouméa. Appeals on points of law can be filed with the Court of Cassation in metropolitan France.

3. The Kanak independence movement was launched in the 1970s in response to the process of decolonization in Africa and increasing French migratory flows. In 1984, the Front de libération nationale kanak socialiste (FLNKS) was founded as an umbrella organization for the pro-independence parties, and later that year it established a provisional independent Government. Between 1984 and 1988, about 80 people died in violent confrontations between pro- and anti-independence elements. The violence was eventually halted with the conclusion of the Matignon Accords on 26 June 1988 between FLNKS, the loyalist Rassemblement pour la Calédonie dans la République (RPCR) and the Government of France.

4. The Matignon Accords provided for greater local autonomy and substantial aid designed to redress deep inequalities between the French and Kanak communities, while committing the Territory to a self-determination referendum 10 years later. Following negotiations initiated in the 1990s, the pro- and anti-independence camps concluded the Nouméa Accord in 1998, redefining the Territory's status. The agreement steered a middle course between the respective political aspirations of RPCR and FLNKS and avoided the need for a referendum on independence, which, according to the administering Power and in the circumstances prevailing at that time, probably would have caused tensions to flare. It was signed on 5 May 1998 and approved by 72 per cent of New Caledonians in a referendum held on 8 November 1998. The Accord was subsequently ratified by the National Assembly and the Senate of France. New Caledonia is now defined as a French overseas sui generis community under the French Constitution and has enhanced autonomy.

5. Section 1.5 of the Nouméa Accord provides that: "The identifying signs of the country, such as its name, flag, anthem, motto and banknote designs, shall be jointly devised in order to express both the Kanak identity and the future to be shared by all". On 18 August 2010, the Congress of New Caledonia approved three out of five identifying signs around which New Caledonia could unite — an anthem, a motto and banknote designs — but failed to agree on a name and a flag. On 13 July 2010, the territorial Congress expressed the wish that the Kanak flag and the French flag should fly together in New Caledonia. This wish has no binding legal force; each local authority remains free to apply it or not. On 17 July 2010, the Prime Minister, François Fillon, on an official visit to the islands, raised the Kanak flag and the French flag together for the first time at the headquarters of the French High Commissioner, in the presence of local authorities. The new banknotes bearing the designs expressing the Kanak identity were issued on 20 January 2014.

6. The Nouméa Accord commits France to transferring responsibility for certain areas of government, except sovereign powers, to the Government of New Caledonia between 1998 and 2018. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of office of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members (33 members), to hold the referendum on the assumption of full sovereignty. After that time, the date will be set by the administering Power between May and November 2018. Eligible participants will be asked to vote on three issues: the transfer of sovereign powers to New Caledonia, access to an international status of full responsibility and the organization of citizenship by nationality. Should independence be rejected, a second referendum may be held at the request of one third of the members of Congress (19 members). If independence is again rejected, a third referendum may be held under the same conditions. If the response is still negative, the parties to the Accord will meet to consider the situation thus created. The full text of the Nouméa Accord is contained in the 1998 working paper (A/AC.109/2114, annex).

7. New Caledonia has a 54-member Congress drawn from the elected membership of the three provincial assemblies (15 of the 22 members of the North Province assembly, 32 of the 40 members of the South Province assembly and 7 of the 14 members of the Loyalty Islands Province assembly).

8. The territorial Government, elected by and answerable to the Congress, constitutes the executive branch in New Caledonia and is headed by a President. The Nouméa Accord stipulates that the Government, as a collegial body, must proportionally reflect party representation in the Congress. The President is elected by a majority vote of all members of the Government.

9. In accordance with the Nouméa Accord, a parallel set of institutions was established to accommodate full political recognition of the Kanak identity. There are eight customary councils representing eight customary regions. In addition, a Territory-wide customary Senate with a rotating presidency comprises 16 members, with 2 members selected by each customary council. The customary Senate is consulted by the executive and legislative bodies of New Caledonia on matters related directly to the Kanak identity. The customary Senate has a budget for its operations (art. 147 of the Organic Law, Act No. 99-209 of 19 March 1999).

10. Political parties in New Caledonia are divided between those favouring New Caledonia's remaining part of France and those favouring independence, with a number of nuances within each position. The 2014 election resulted in a Congress of 29 anti-independence and 25 pro-independence members. The anti-independence groups currently represented in Congress are Calédonie ensemble (CE), with 15 seats; Front pour l'unité (FPU), with 8 seats; and Union pour la Calédonie dans la France (UCF), with 6 seats. The pro-independence groups represented in Congress are Union calédonienne-FLNKS (UC-FLNKS) et nationalistes, with 15 seats; Union nationale pour l'indépendance and Parti de libération kanak (UNI-Palika), with 9 seats; and Ligue kanake socialiste (LKS), with 1 seat. Mr. Gaël Yanno (UCF) was elected President of the Congress on 19 May 2014, succeeding Mr. Roch Wamytan (Union calédonienne).

11. The thirteenth Government, elected by the Congress on the basis of a proportional system, comprised 11 members. It consisted of six members of the anti-independence groups (CE, FPU and UCF) and five members of the pro-independence Union calédonienne (UC) and UNI-Palika. Ms. Cynthia Ligeard (FPU) was elected President. As a result of the mass resignation of Calédonie ensemble members, the Government collapsed on 15 December 2014. A new Government was elected on 31 December 2014, but its members were unable to take office owing to their failure to elect a President and Vice-President. Under these circumstances, the former Government continues to act in a caretaker capacity.

12. There are several different electorates in New Caledonia: (a) the general electorate, consisting of those eligible to vote in French municipal, legislative and presidential elections and in European elections; (b) a special, more restricted electorate consisting of those eligible to vote in elections to Congress and the provincial assemblies, with the limitation being justified by the need to restrict the right to vote in such elections to the population deemed to be directly concerned, given its link to the Territory; and (c) a special electorate consisting of those eligible to participate in the final status referendums under the Nouméa Accord. This electorate, which differs slightly from the preceding one, has yet to be established. According to the administering Power, it will consist, generally speaking, of persons who are able to prove that they have resided in New Caledonia for at least 20 years, Kanaks with customary status and persons born in New Caledonia whose property and personal ties are mainly in the Territory.

13. Since 1999, the composition of the electorate for provincial elections has been a subject of intense political and legal debate between supporters of independence and advocates of keeping New Caledonia within the French Republic (see A/AC.109/2014/20/Rev.1). Every year, the special electoral rolls of voters eligible to participate in the election of members of Congress and the assemblies are updated by special administrative commissions headed by magistrates. Each commission also includes a representative of the Administration appointed by the French High Commissioner, a representative of the mayor of the municipality and two representatives of voters in the municipality (one pro- and one anti-independence). Decisions are taken by majority vote. New Caledonians also vote in the French presidential elections and elect two members of the French Senate and two members of the French National Assembly.

14. The administering Power reports that, as a guarantor of the Nouméa Accord, it sought to ensure the fairness of the provincial elections of 11 May 2014. The following steps were taken:

(a) As early as April 2013, a working group comprising representatives of all political groups met to discuss the revision of the special electoral roll for the provincial elections. As a result of the meeting, access to the general electoral roll for 1998 (given that the supplementary roll provided for by law had never been drawn up) was granted, after years of demands for recognition of the right to such access;

(b) In 2014, the number of magistrates presiding over the special administrative commissions was increased in view of the fact that voter representatives can now challenge registrations they consider to be unwarranted, provided that they produce evidence to that effect;

(c) The administering Power accepted the visiting mission of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to enable it to verify, with full transparency, that the Nouméa Accord is being implemented and to formulate a view on the process under way, with respect to the inclusion of New Caledonia on the list of Non-Self-Governing Territories. The delegation was thus given the opportunity to hear from all political movements and to receive an explanation of the work and functioning of the special administrative commissions, although it was unable to attend their meetings because they are not public.

15. According to the administering Power, if the electorate is considered to be "frozen" as from 8 November 1998, the question is whether voters should, in the absence of a supplementary roll, be deemed to meet the requirement of continuity and duration of residence in New Caledonia only if they appear on the general electoral roll for 1998, or whether they should merely be required to produce proof of any sort, not only registration on the general electoral roll, that they were residents as at 8 November 1998. The administering Power indicates that political groups are divided on this issue. In response to requests that some voters be stricken from the rolls, the administering Power considered that registration on the general electoral roll for 1998 was not a prerequisite for inclusion on the special electoral roll for the provincial elections. On 25 February 2014, replying to a question from French National Assembly member Sonia Lagarde, the then Prime Minister, Mr. Jean-Marc Ayrault, said that the condition of residence in New Caledonia in 1998 should be carefully verified through consultation of the general electoral roll for 1998 or any other evidence. The non-inclusion of certain Kanak voters is due to the failure of the persons concerned to take the necessary action. In fact, no voters except those who have recently reached voting age can be registered automatically.

16. In the light of this situation, the administering Power reports that the composition of the special electoral roll for elections to Congress and the provincial assemblies is being challenged by UC. The pro-independence movement complains that the roll excludes many Kanak voters and includes some voters who are not listed in the general electoral roll for 1998. Such challenges have taken the form of collective appeals filed by UC on behalf of 1,656 Melanesian voters who have not taken action to register individually. In the absence of such action, these appeals have been systematically rejected. In addition, the pro-independence movement has asked the special administrative commissions that conduct the annual review of the

special electoral roll for the congressional and provincial elections to deregister some 5,638 voters whose names appear on this roll but not on the general electoral roll for 1998. According to the administering Power, after the special administrative commissions rejected these requests on the ground that the movement, as complainant, did not produce sufficient evidence to support its claims, UC turned to the judicial system, which has overwhelmingly rejected these appeals on the same grounds.

17. Finally, the administering Power indicates that the special electorate for the referendum on full sovereignty includes those persons who may vote in the referendum on full sovereignty provided for in section 5 of the Nouméa Accord. While the conditions for inclusion in that electorate are set forth in article 218 of the Organic Law of 19 March 1999, the roll itself has not yet been drawn up. This electorate, which does not fully coincide with the special electorate for congressional and provincial elections, is to include, inter alia, persons having taken up residence in New Caledonia before 31 December 1994, persons having or previously having had customary civil status, and persons born in New Caledonia whose property and personal ties are mainly in the Territory. Following the twelfth meeting of the Committee of Signatories, held on 3 and 4 October 2014, the administering Power, at the request of the parties in New Caledonia, explored the possibility of amending the Organic Law so as to allow the automatic registration of certain categories of voters on the special electoral roll. The administering Power has also proposed the addition of a second magistrate within each special administrative commission in order to strengthen impartiality, as well as the establishment of a single authority with responsibility for providing legal clarifications to the various special administrative commissions. These proposals are currently being discussed between the administering Power and the political forces of New Caledonia.

II. Budget

18. The administering Power reports that the Territory's financial situation has deteriorated since 2012, with the result that it faces the need both to ensure its own financial stability, following a decline in revenues, and to participate more actively in economic recovery.

19. Thanks in part to the tightening of limits on its general recurrent expenses (-1.5 per cent) and transfers (-5 per cent), New Caledonia was able to increase its investment by 18 per cent compared to 2013 levels, thereby meeting the financing needs for its main investment project, the construction of the Médipôle hospital, while maintaining a high level of investment in key areas: school renovation, road investment and updates to aviation infrastructure.

20. The administering Power reports that, for 2015, New Caledonia has announced its intention to begin restoring its capacity for self-financing, which had weakened in 2013 and 2014, in order to be able to continue to fulfil its commitments to financial partners and remain one of the engines of economic growth through its investments. Under the current budget, it is to embark on a multi-year plan to streamline its recurrent expenditure by exploring avenues for sharing. Also envisaged is a package of economic and fiscal reforms under a shared agenda involving employers and employees, political groups in the Congress and local government to generate additional revenues of its own to meet medium-term financing needs.

21. This agenda, adopted at a conference on economic, social and tax matters held in late August 2014, includes a tax component that was implemented at the end of December 2014 through the adoption of several pieces of legislation establishing new taxes (the New Caledonian solidarity contribution, an additional contribution for corporate taxpayers and reform of the withholding tax on securities income). The aim of these taxes is to provide New Caledonia with approximately 10 billion CFP francs in new revenues, which is the amount deemed necessary to ensure the sustainability of social programmes and restore balanced budgets in New Caledonia.

III. Economic conditions

A. General

22. According to the Statistics Division of the United Nations Secretariat, New Caledonia has one of the richest economies of all the Pacific islands, with a gross domestic product per capita estimated at $34,262 in 2014 (estimate provided by the administering Power). This is largely owing to the preponderance of nickel mining and processing in the island's economy. Nickel production accounts for over 90 per cent of total export earnings. There are significant geographic disparities in income distribution, however, as the South Province accounts for 85 per cent of total household income, the North Province for 11.1 per cent and the Loyalty Islands Province for only 3.9 per cent. The economy is also highly dependent on transfer payments from the French Government. Approximately 80 per cent of those payments are spent on health care, education and civil service salaries, as well as on development projects, mainly in the North and Loyalty Islands Provinces. The Territory runs a significant structural trade deficit.

23. According to the administering Power, New Caledonia has enjoyed steady growth over the past decade. The standard of living in the Territory is now comparable to that in the vast majority of France's regions and is close to that in New Zealand, which itself is the second highest in the Pacific region, after Australia. This momentum has been sustained through the construction of major infrastructure, including the Goro and Koniambo metallurgical plants. Since mid-2011, the New Caledonian economy has experienced a slowdown, in a difficult international environment. This slowdown has multiple causes that vary across different sectors of activity.

B. Mineral resources

24. New Caledonia, with an estimated 15 to 25 per cent of the world's nickel reserves, is the second largest source of that metal. Cobalt is also mined commercially, and deposits of iron, copper and gold have been discovered. Mining is carried out by about a dozen operators, the largest of which are Société Le Nickel, Nickel Mining Company and Vale New Caledonia. The other operators are small-scale miners who may or may not be owners of mining claims and gravitate around the major companies. In 2013, New Caledonia was the source of about 6 per cent, or 160,000 tons, of the total volume of nickel mined worldwide. Of that amount, 60,000 tons are exported and 100,000 tons are processed in the Territory. New Caledonia processed 70,000 tons of metal in 2013, accounting for only 3.5 per cent

of world production. According to the administering Power, this share is expected to increase with the entry into full operation of the Koniambo plant in the North Province and the Goro plant in the South Province. The administering Power predicts that the effects of the upturn in nickel prices in 2014 will not be fully apparent in New Caledonia until 2015, as the poor performance of mining and metallurgy in 2013 led to a shortfall of tax revenue for the Territory in 2014. Beginning in 2015, tax revenues from this sector are expected to rise. Employment in mining and metallurgy increased by 7 per cent over a 12-month period, amounting to an estimated 7,200 people in the third quarter of 2014 (including those employed in related activities such as contractors, ore transporters and temporary workers).

C. Construction and manufacturing

25. The construction and public works sector accounted for an average of 10 per cent of the wealth generated over the period 2001-2009, and employed some 9 per cent of wage labour in the Territory in 2013. After several years of sustained growth, this sector is suffering as a result of the completion of major projects and the slowdown in new housing construction. Construction of social housing remains extremely inadequate to cover estimated needs. Against this backdrop, wage employment in the construction sector shrank by 3.1 per cent in 2013, after shrinking by 4.7 per cent in 2012. The outlook for this sector is brightening, however, as the law on local tax relief has buoyed the intermediate housing construction sector since 1 January 2014.

26. Industry (other than metallurgy) is largely focused on machinery and equipment installation and repair, processing of foodstuffs, and manufacturing (of textiles and clothing in particular). Strong growth in this sector, which in 2009 accounted for 6 per cent of wealth creation and 5 per cent of wage employment (excluding mining and energy), has been driven primarily by the creation of one-person businesses, which make up 80 per cent of the industrial base in New Caledonia. The development of the manufacturing sector is faced with high investment and production costs owing to the small size of the local market and the island status of the Territory, which raises the cost of inputs. To address these handicaps, the local authorities have launched a proactive policy to protect local production (imposition of bans or quotas on certain imports, and tariff protection) and offer tax incentives (preferential tax treatment of imports of investment goods and raw materials).

D. Agriculture and fisheries

27. Although the primary sector (excluding mining) represents less than 2 per cent of wealth generation and wage employment (with 1,650 wage earners at the beginning of 2014), it is nonetheless the principal activity of much of the rural population. According to 2012 data, there are some 4,500 farms and a family farming population of about 13,200 in the Territory. Agriculture, livestock and fisheries thus continue to constitute a subsistence economy, although the useful agricultural area is gradually shrinking (by one quarter in 10 years) and the development of the nickel industry and urbanization around these new employment hubs are absorbing part of the agricultural workforce. Cattle-raising on the west coast (mostly by farmers of European descent), pig farming and the export of venison and fish products to Europe are the most

important cash-producing agricultural activities. Three types of fishing are practised in the Territory, depending on the area concerned: lagoon fishing, coastal fishing and pelagic fishing. According to the administering Power, New Caledonia is not self-sufficient in most agricultural and livestock sectors, and thus remains heavily dependent on imports.

E. Transport and communications

28. The transport and telecommunications sector accounts for 8 per cent of the value added in the Territory (based on 2009 figures), 6 per cent of wage employment (as of late 2013) and 4.4 per cent of registered companies. The Territory has a good road system in and around Nouméa. The road infrastructure in the rest of the Territory is more basic, but gradually continues to improve. New Caledonia has about 5,000 km of roads, of which about half are surfaced. Port activity in New Caledonia is organized around the infrastructure of the Autonomous Port of New Caledonia, based in Nouméa (France's tenth-ranked port and first-ranked overseas port); some secondary ports operated primarily in connection with nickel exploitation (in Grande Terre) and passenger traffic between the islands; and marinas, mainly in greater Nouméa. Overseas cargo shipping (inbound and outbound) is predominantly through Nouméa. The total volume of goods loaded and unloaded, apart from nickel ore, amounted to 3 million tons in 2013. The Autonomous Port also handles 7.7 million tons of nickel ore, of which 4.5 million tons are exported, while the rest consists of ore shipped to Doniambo from mining centres. Container shipping is relatively stable, with just under 100,000 containers loaded, unloaded or trans-shipped. With 3,200 trans-shipments, the Autonomous Port serves as a regional hub, as 90 per cent of the goods trans-shipped remain within the Pacific region (Fiji, New Zealand and Vanuatu for the most part).

29. Since 1 January 2000, New Caledonia has had authority over international traffic rights and air carrier operational programmes. Powers in the area of policing and security in respect of air traffic were transferred, for domestic traffic only, on 1 January 2013. The New Caledonia Air Services Agency, a public enterprise of New Caledonia, is responsible for ensuring the continuity of air services. To this end, it owns 99.38 per cent of the shares in the airline Air Calédonie International (Aircalin). Five international companies operate regular flights to the Territory. In 2013, 475,000 passengers (arrivals and departures) were registered at Nouméa-La Tontouta International Airport. Frequent international flights link Nouméa's airport with neighbouring countries and with Japan, the United States of America and Europe. There are regular services from the Nouméa-Magenta domestic airport to the outer islands and major towns on the main island. The second phase of the 100-million-euro renovation of Nouméa-La Tontouta International Airport (for which 12 million euros were provided by the administering Power) was completed in the first quarter of 2013. A new master plan for the airport was approved in June 2013. It will enable the airport to process 1.5 million passengers by 2030, including 600,000 passengers on domestic flights. The Territory-wide modernization of the transport system is also reflected by the development of a conceptual framework for transport for the period up to 2025, focusing on the complementarity and coherence of all modes of transport.

30. Regarding domestic service, New Caledonia has 14 airfields open to public air traffic. Domestic public transport services are provided by three companies. The

Nouméa-Magenta airport, through which half of domestic traffic passes, has recorded more than 392,000 passengers (arrivals and departures). The Loyalty Islands airfields handle 77 per cent of the remaining domestic passenger traffic (excluding Nouméa-Magenta). It should also be noted that a third cargo vessel has been put into operation, and work has begun on a project to build new port infrastructure on the island of Ouvéa.

31. The telecommunications sector includes the territorial operator, the Post and Telecommunications Office of New Caledonia, and its partners (Internet service providers, the mobile telephone company Mobilis and content providers). A submarine cable network connection between the Territory and Australia, brought into service in 2008, has significantly increased the Territory's network capacity. In recent years, Internet facilities and usage have grown rapidly. Between January 2013 and March 2014, mobile Internet traffic, for example, increased by 40 per cent, reaching a total of more than 44,000 customers. According to the administering Power, the supply of such services will be supplemented in February 2015 through the launch of 4G service in the Territory. The stated goal is to further reduce the digital divide and facilitate Internet traffic. The work under way to set up new cell towers should increase coverage to 85 per cent of the Territory by January 2016.

F. Tourism and environment

32. In the view of the administering Power, New Caledonia, with its geographical location and cultural richness, has real strengths and considerable tourism potential that has not yet been fully tapped. Tourism is thus key to the Territory's economic development. The tourism sector accounts for just over 2 per cent of gross domestic product (about $208 million) and 5,500 jobs. According to the French National Institute of Statistics and Economic Studies, 107,750 tourists travelled to New Caledonia in 2013, compared to 112,200 in 2012, representing a decrease of 4,450 tourists (4 per cent). This downturn is due mainly to the reduction in tourism from Japan (-10 per cent) and Australia (-11 per cent) and the decline in business travel. Metropolitan France remains the primary source of tourist arrivals (almost 40,000), ahead of Australia and Japan. New Zealand, the Republic of Korea, Canada and Europe are the other main source markets. The cruise-ship market is growing briskly: 400,000 cruise-ship passengers visited New Caledonia in 2014, compared to fewer than 100,000 in 2008. The administering Power forecasts that such arrivals will reach 1 million by 2020. Cruise-ship activity mostly benefits Nouméa and the Isle of Pines, and to a lesser extent the islands of Lifou and Maré.

33. The administering Power indicates that New Caledonia has a unique natural heritage characterized by a high rate of endemism, in particular among plants (76 per cent); striking land ecosystems (rainforest, maquis shrubland), some of which are particularly endangered (dry forest); and the second largest coral reef in the world after Australia's Great Barrier Reef. Recognized internationally as a global biodiversity hotspot, the Territory has now been doubly distinguished by the inclusion, in July 2008, of "Lagoons of New Caledonia: reef diversity and associated ecosystems" on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List and by the inclusion, in February 2014, of the lakes of the South Province of Grande Terre on the list of the Convention on Wetlands of International Importance especially as Waterfowl Habitat.

34. The various threats to such biodiversity have attracted the attention of non-governmental organizations such as Conservation International. In a February 2011 report, that organization expressed concern over the negative impact of nickel mining and deforestation on the unique flora and fauna of New Caledonia. The Territory is ranked second among the world's 10 most threatened forest hotspots: it has lost 95 per cent of its original forest cover. Deforestation also threatens many endemic species, including various plants and birds. For example, the kagu (*Rhynochetos jubatus*) is the only surviving member of the bird family *Rhynochetidae*, and probably the most well-known of the Territory's native birds. New Caledonia is also home to one of the world's largest geckos, the New Caledonian giant gecko (*Rhacodactylus leachianus*).

35. According to the administering Power, biodiversity conservation is now at the heart of government concerns. Various actions are being taken by the three provinces, which have authority over environmental matters, and by the Government of New Caledonia in the exclusive economic zone: implementation of sustainable strategies for the management and conservation of iconic species (dugong, kagu) and heritage ecosystems (including dry forests); and establishment of a New Caledonia nature reserve to coordinate actions among the various partners involved (government and civil society) in three priority areas, identified as UNESCO World Heritage sites, dry forests and the control of invasive alien species. The establishment of a network of terrestrial and marine protected areas is also one of the tools used by government authorities to protect the natural heritage. Protected areas have been established at the provincial level, and the Natural Park of the Coral Sea was established in 2014. It covers the entire area under the jurisdiction of New Caledonia, or 1.3 million km^2.

36. Moreover, regulations established in New Caledonia (the Mining Code in 2009 and provincial environmental codes starting in 2010) will henceforth strictly regulate mining activity and its impacts on the natural and human environment. Among other things, these regulations impose rigorous requirements in terms of good practices and compensatory measures. Furthermore, the Nickel Fund, which was established in 2009, allows for the gradual rehabilitation of sites impacted by past mining activity.

IV. Social conditions

A. General

37. United Nations Development Programme data for New Caledonia show that the Territory has a high human development index. The adult literacy rate is over 96 per cent and school enrolment (all levels) is about 89 per cent. Nevertheless, according to the French National Institute of Statistics and Economic Studies, the Territory suffers from inequalities and imbalances in several areas, including the social and economic spheres. Approximately 74.4 per cent of the population is concentrated in the South Province. Including the suburbs of Nouméa, the Greater Nouméa metropolitan area is home to 67 per cent of the population. The population density in the South Province is 23.4 inhabitants per km^2 (999.7 inhabitants per km^2 in Nouméa), compared to only 4.6 inhabitants per km^2 in the North Province and 11.1 inhabitants per km^2 in the Loyalty Islands Province.

38. It is also estimated that, among the population aged 14 years or over, 66 per cent of those living in the North and Loyalty Islands Provinces have no educational qualifications, compared to 35 per cent of those living in the South Province.

39. Following demonstrations against the high cost of living in May 2011, a special committee was established in the Congress to draft economic and social agreements and to monitor their implementation. Following an initial agreement between the members of Congress and a federation of labour unions formed to protest the high cost of living, signed in June 2012 in the presence of the High Commissioner, and the general strike called by the unions as a result of dissatisfaction with the agreement's implementation, a new protocol was signed on 27 May 2013. In August 2014, a conference on economic, social and tax matters organized by the new Government of New Caledonia, in which the administering Power and workers' and employers' organizations participated, resulted in the signing of an agreement setting out a shared agenda of economic and fiscal policies that the New Caledonia Government undertook to implement. According to the administering Power, among the causes of the 16 December 2014 collapse of the Government led by Cynthia Ligeard were the divisions among the majority political groups on the nature of the tax measures taken under the shared agenda. At the same time, the previous High Commissioner entered into negotiations with the banks with a view to reducing bank fees. An initial agreement on this matter was reached on 23 December 2013. A second agreement on the continuation of those efforts was signed on 15 December 2014.

40. The concept of economic rebalancing is rooted in the 1998 Nouméa Accord and in the aim of achieving a more harmonious distribution of job and wealth creation throughout New Caledonia in preparation for the Territory's potential accession to full sovereignty. This concept led to the development of a formula for budgetary allocations that proactively favours the North and Loyalty Islands Provinces in terms of their demographic weight and the imbalances to be corrected. It has also resulted in the development of the Voh-Koné-Pouembout area of the North Province and the establishment of a nickel plant in that province.

41. Fifteen years after the Nouméa Accord, the centrepiece of the rebalancing initiative is the Koniambo Nickel SAS plant in Vavouto, municipality of Voh, which came on stream more than a year ago. With the support of the administering Power, the 1998 Bercy Accords gave the North Province control over the resources of the Koniambo massif by giving it a majority stake (51 per cent) in a joint venture with the company Glencore for the construction of a plant in the North Province. Glencore's expertise and financial resources have made it possible to implement the project. The objective is to produce 60,000 tons of ferronickel per year by 2016 or 2017; the massif's reserves should be sufficient to keep the plant in operation for 25 to 50 years.

42. Once the plant comes into operation, it should employ about 1,000 people directly and close to 1,000 more through subcontractors, the overwhelming majority of which (over 85 per cent) are New Caledonian. To that end, a major training programme in France, Canada and Australia was established more than five years ago by New Caledonia and the North Province, with the support of the administering Power, to facilitate local recruitment and the training of New Caledonian executives and workers.

43. The plant's establishment has triggered significant, rapid development in the Voh-Koné-Pouembout area, with housing and infrastructure development facilitated by the various institutions (North Province, New Caledonia Government, France) through their public policies.

44. The administering Power reports that it contributed to the financing of the North Province plant through tax relief for the power plant (Girardin Act). It has also concluded development contracts with the North Province and municipalities, thereby mobilizing significant resources to assist the northern zone. These subsidies have effectively supported the development of municipalities in the North Province (17 municipalities comprising 199 tribes, which constitute separate villages to be served and administered), and have helped to address shortfalls in terms of so-called primary infrastructure (drinking water, roads, sanitation, miscellaneous public infrastructure). This has enabled a local business base to develop: between 2005 and 2013, the number of local businesses rose from 1,550 to almost 3,000. The population of the Voh-Koné-Pouembout area has doubled in 10 years, reaching 10,000. A further increase to 15,000 is expected by 2015-2020.

45. In the far south, the construction of a metallurgical plant has likewise received support from the administering Power and local authorities. This plant, located in Goro, is operated by the company Vale New Caledonia. An 81-per-cent share of the plant is owned by Vale Canada and a 5-per-cent share is owned by the Société de participation minière du sud calédonien, a holding company belonging to the three provinces. The Goro plant is the only one in the Territory that uses a hydrometallurgical instead of pyrometallurgical process, which makes it possible to exploit low-grade ore. The company employs about 1,260 people.

B. Employment

46. Regional disparities are also clearly evident in the labour market, with the number of unemployed being particularly high in the North Province. Since the Koniambo plant in the North Province gradually began operations in 2012, it has generated some 8,000 new jobs, directly and indirectly, many of them for the local population. The Government of New Caledonia has indicated that it has no statistics confirming high levels of unemployment among Kanaks. In any event, the administering Power reports that remedial action is being taken with respect to rebalancing in this regard. For example, local law (*loi du pays*) No. 2012-9 of 27 July 2010 on the protection and promotion of and support for local employment came into force with the appointment of the members of the Joint Local Employment Board at the beginning of February 2012. The law stipulates that, as a rule, New Caledonian citizens shall be hired. If no citizen is as well qualified as other applicants, the employer must recruit a candidate who can demonstrate a sufficient length of residency.

47. Kanak representatives continue to express concern over the influx of immigrant labour to New Caledonia. The Government of New Caledonia has acknowledged this fact, while specifying that the immigration included highly qualified labour, as well as technicians and managers not available in the domestic labour force. Furthermore, the duration of stay was limited to 18 months for the first category and to four years for the second category. According to the Government of New Caledonia, three quarters of the guest labour force of the nickel plant in the

South Province have already left the Territory; the number of foreign workers at the site is now 129. Such demobilization has also accelerated considerably at the North Province plant, which had 620 long-stay foreign workers in December 2014, compared to almost 4,000 in July 2013.

C. Education

48. The Organic Law of 19 March 1999 transferred control of public primary education to the New Caledonian authorities, giving them the right to adapt the curriculum to local cultural and linguistic backgrounds, including instruction in the Kanak languages. Five agreements were signed in October 2011 between the administering Power and the Government of New Caledonia to organize the transfer of authority over secondary education to the Territory, with the transfer officially taking place on 1 January 2012. Enrolment in New Caledonia's public and contracted private secondary schools stands at 17,800 lower-secondary students in 51 institutions and 10,950 upper-secondary students in 14 institutions and branches.

49. According to the administering Power, the University of New Caledonia (UNC), established in 1999, has the distinction of being a French and European university in the service of development in New Caledonia and beyond the Pacific region. Education at UNC follows the European system (bachelor's degree (*licence*), master's degree and doctorate), which guarantees the quality of the education imparted according to a standard shared by all universities in the European space. With respect to research, the uniting of the relevant entities (UNC and research institutions in New Caledonia) around a shared scientific and technological vision laid the foundation for the establishment of the Research, Higher Education and Innovation Consortium in New Caledonia in October 2014. The University's research activities are geared to meeting the major challenges of sustainable development in New Caledonia: the study of terrestrial and marine biodiversity and the study of nickel and its environment, in a unique community with a plurality of cultures, oral and written literature and social and political organizations, both traditional and contemporary. UNC has a doctoral college and five research teams. Each year it hosts a number of international students, including students with scholarships from the Government of Vanuatu.

50. The University's higher education policy is structured around the following objectives: (a) effectively supporting development in the Territory and more fully meeting its needs in the area of research and training; and (b) making UNC a touchstone for the learning and development of languages in the Pacific through the establishment of a pilot school for language certification and a language centre.

51. Under the "Cadres for the Future" framework, 1,400 trainees have now been trained and are providing expertise in various communities, governments and enterprises in New Caledonia. Some 70 per cent of these trainees are of Kanak origin. The success rate is high: 95 per cent of the trainees find employment within three months after their return to New Caledonia. Since 2006, the administering Power has maintained its financial commitment at 5,400,000 euros. New Caledonia's share amounts to 500,000 euros. New initiatives have been undertaken, with the identification and training of trainees in the following fields of excellence: (a) public secondary education, with 21 certified New Caledonian teachers, including 14 Kanaks, in four years; from 2010 to 2014, the number of certified

teachers of Kanak origin increased from 29 to 48 in the public sector; (b) medicine and high-level health-sector occupations; (c) the judiciary and legal and judicial occupations; and (d) senior management and, in general, occupations concerning the exercise of sovereign powers.

52. In the field of law enforcement, two important steps have been taken: the establishment of a training centre for volunteer deputy gendarmes in New Caledonia; and the creation of a "cadet of the Republic" training programme by the Ministry of the Interior in partnership with the Ministry of Education, under which young people recruited as security officers can receive the necessary initial training for the discharge of these functions. According to the administering Power, the integration factor is very important, as the system has brought young people from different neighbourhoods, provinces and social environments into the ranks of the police, and the composition of each graduating class is a fairly accurate reflection of the various communities of the Territory. Lastly, a competitive process conducted in New Caledonia in 2014 led to the recruitment of local prison officials.

53. Rebalancing efforts are also being made by the administering Power and the provinces, such as the priority education agreement with the Paris Institute of Political Studies, concluded in 2009, under which 13 students were admitted, including 6 Kanaks, and the establishment of high-quality boarding schools in the North, South and Loyalty Islands Provinces that can accommodate 130 upper-secondary students, 95 per cent of whom are Kanak.

54. Other institutions of higher education and vocational training have also redoubled their efforts over the past 10 years. These include the Health and Human Services Training Institute of New Caledonia, the Teacher Training Institute of New Caledonia and the School of Management and Commerce. There are also three preparatory classes for admission to the French professional schools (*grandes écoles*). The National Conservatory of Applied Arts and Crafts offers continuing education for adults, and admits students, wage-earners and job-seekers.

55. With respect to the social and vocational integration of young people in difficult circumstances, the French army has an adapted military service regiment that provides training in various manual occupations (mechanics, construction, public works, animal husbandry, hospitality, food service) and job placement for approximately 600 young New Caledonians per year. The adapted military service fulfils a social mission within a military framework; it aims to provide a comprehensive response to social exclusion, unemployment, alienation and illiteracy among young people. In view of its success, the programme will be stepped up, particularly in the North Province.

D. Health care

56. According to the most recent World Health Organization country health information profile, New Caledonia has a well-functioning mother and child health programme. However, communicable diseases remain a public health problem and sexually transmitted infections are highly prevalent. Non-communicable diseases constitute a major burden, with cardiovascular diseases, diabetes mellitus and cancers being the most common.

57. According to the administering Power, the incidence of addiction, including the consumption of alcohol, tobacco and cannabis, is high in New Caledonia. The administering Power and local authorities have mobilized to coordinate a policy to combat these scourges. In 2012, a comprehensive and ambitious four-year plan called ISA (Inform, Sensitize, Act) was drawn up.

58. The Territory has three public hospitals (492 beds), three private clinics (178 beds) and four specialized hospitals (184 beds), located in Nouméa. The construction of the Médipôle hospital near Nouméa is a major project in the Territory. This hospital is intended to consolidate the sometimes obsolescent facilities of four health-care establishments (the territorial hospital, the Pasteur Institute of New Caledonia, the follow-up care and rehabilitation centre and the cancer treatment centre) into a state-of-the-art health-care hub built on a 20-hectare campus, with strong links to the urban and natural environment. The project concept is based, in particular, on the use of renewable energy sources. The project cost is estimated at some $460 million. Part of this funding is provided by the administering Power in the context of development contracts ($15.7 billion for the period 2011-2015). At the provincial level, integrated public health-care services are provided through 7 social medical centres with 42 hospital beds, 19 medical centres, 14 infirmaries, 55 consultation facilities and 22 dental clinics.

V. Relations with international organizations and partners

59. The Organic Law of 19 March 1999 governs the legal framework within which New Caledonia may establish external relations. New Caledonia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992. In 2006, it became an associate member of the Pacific Islands Forum. To give impetus to the Nouméa Accord, New Caledonia intends to become a full member. The administering Power has expressed its full support for that initiative. In the communiqué of the 2010 meeting of the Pacific Islands Forum, the Forum leaders agreed to address the matter following a gradual process coordinated with the secretariat of the Forum. In the final communiqué of the forty-fourth meeting, held in 2013, they endorsed the recommendations made following the July 2013 visit to New Caledonia by a ministerial committee of the Forum. Ways and means of making New Caledonia a member are being sought on the basis of consensus among all members of the Government of New Caledonia. In 2013, at a ceremony held in Nouméa, FLNKS formally began a two-year term as Chair of the Melanesian Spearhead Group.

60. New Caledonia is also a member of the Pacific Community, the oldest regional organization in the Pacific, whose secretariat is located in Nouméa. Other regional arrangements in which New Caledonia is involved include the South Pacific Regional Environment Programme, the Pacific Islands Forum Fisheries Agency, the Western and Central Pacific Fisheries Commission, the Pacific Islands Development Forum, the World Health Organization, the Oceania Customs Organization, the Oceania Regional Anti-Doping Organization, the South Pacific Tourism Organization and the Pacific Power Association. Regional cooperation among universities has gained momentum since 2013. For example, the Pacific Islands Universities Research Network, formally established on 10 July 2013, includes 11 Pacific Island universities and aims to contribute in a more structured way to the

training of young professionals and development in the Pacific. It thus represents a genuine regional platform to support public policies.

61. New Caledonia has continued to strengthen its ties with the European Union, with which it holds the status of associated overseas territory as conferred by the Treaty of Rome. The European Commission office for the Pacific overseas countries and territories is based in Nouméa. In January 2012, the French Minister for Cooperation, the French Minister for Overseas Territories and the President of the Government of New Caledonia signed a convention related to the hosting of New Caledonian delegates in the French diplomatic and consular missions in the Pacific. The process of deploying representatives of New Caledonia will continue in 2015.

VI. Position of the administering Power

62. During his visit to New Caledonia from 16 to 18 November 2014, the President of France, Mr. François Hollande, reaffirmed the administering Power's commitment in relation to the future of New Caledonia, the nickel industry, economic and social development and training. With respect to the future of New Caledonia, the President of the Republic reminded elected officials that a referendum among the people of New Caledonia on the question of the Territory's assumption of full sovereignty would take place on a date chosen by the Congress or, if the Congress did not choose a date, by 2018 at the latest. He gave assurances that the choice made by the people of New Caledonia would be respected, and emphasized that preparations must be made and conditions created for ensuring that the solution chosen would be sustainable and would advance development. He also referred to the questions to be asked in the referendum, including the question of citizenship and the exercise of the powers transferred under the Nouméa Accord. The full text of the President's statement is available on the Internet (http://www.elysee.fr/declarations/article/discours-devant-les-elus-de-nouvelle-caledonie-2/).

63 The twelfth meeting of the Committee of Signatories was held in Paris on 3 October 2014 under the chairmanship of the Prime Minister, Mr. Manuel Valls, in the presence of the Minister for Overseas Territories. Union calédonienne did not participate, citing the absence of clear answers from the administering Power, including on the issue of the electoral rolls. Senator Pierre Frogier (Rassemblement-UMP) left the deliberations prematurely.

64. At this twelfth Committee meeting, the Prime Minister commended the efforts in which the New Caledonian people had been engaged for more than 25 years. The administering Power would continue to support New Caledonia as it progressed towards the destiny it would choose in accordance with the Nouméa Accord. The administering Power took the view that its role and responsibility had a single objective: to enable the people of New Caledonia to decide democratically on their future and on the relationship they wished to have with France, while ensuring that the process was transparent and incontestable. The report of the twelfth meeting of the Committee of Signatories is available on the Internet (http://www.gouv.nc/portal/page/portal/gouv/textes_fondamentaux/Releve_conclusions_XIIe_Comite_Signataires.pdf).

65. Following the meeting of the Committee of Signatories, four working groups comprising representatives of all the political groups and the signatories met under the authority of the High Commissioner of the Republic in November and December

2014 to discuss the establishment of the special electoral roll for the referendum on accession to full sovereignty, the Territory's institutional future, the transfer of powers and issues related to nickel. At these meetings, the participants agreed on a method of work and a calendar of discussions for 2015.

VII. Consideration of the question by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

66. At the Pacific regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism: accelerating action, held in Nadi, Fiji, from 21 to 23 May 2014, the representative of the administering Power provided information regarding its support for the process of decolonization of New Caledonia over the last 25 years, particularly in the areas of realignment of the provinces, investment in social housing and training for the people. Two experts from New Caledonia and a representative of FLNKS also participated in the seminar.

67. At the 9th meeting of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held on 27 June 2014, the representative of the administering Power stressed that France had consistently maintained that the United Nations should be informed of the progress of the process envisaged in the Nouméa Accord. To that end, France had decided many years earlier to cooperate with the Special Committee and would continue to do so. The representative also highlighted her country's regular and cordial engagement with the Chair and the Bureau of the Special Committee and with the Decolonization Unit of the Secretariat's Department of Political Affairs. In her view, the March 2014 visiting mission to New Caledonia had been successful and had allowed the Special Committee to see for itself the preparations being made for the provincial elections and to take stock of the progress achieved in the implementation of the final phase of the Nouméa process. The Special Committee's work should contribute to the process of further reflection by New Caledonian society on its options for the future, in a peaceful environment. France, as a participant in the Nouméa process, acted to facilitate dialogue among the various components of New Caledonian society, without seeking to replace them.

68. At the same meeting, the Special Committee heard a number of petitioners, including the President of the Congress of New Caledonia, the representative of the High Commissioner, the head of the UC-FLNKS et nationalistes group in the Congress of New Caledonia and the representative of FLNKS (see A/AC.109/2014/SR.9).

69. Also at that meeting, the Special Committee adopted a draft resolution on the question of New Caledonia, introduced by the representative of Papua New Guinea (A/AC.109/2014/L.12).

B. Special Political and Decolonization Committee (Fourth Committee)

70. At the Fourth Committee's meeting of 8 October 2014, the Permanent Representative of Papua New Guinea, speaking also on behalf of the countries members of the Melanesian Spearhead Group, emphasized in particular the positive results of the Special Committee's visit to New Caledonia and Paris from 9 to 18 March 2014 and welcomed the regular monitoring of the issue at the highest level by the French authorities. He called on the parties to work together to address concerns about the complexity of the electoral system in order to ensure that the conduct of the final referendum or referendums would be transparent, inclusive and fair. The President of the Government of New Caledonia, who had been invited in her capacity as the leader of a Non-Self-Governing Territory, outlined her overall policy agenda. In particular, she stressed that the institutional future of New Caledonia could be built only through the dialogue that had been called for and launched 20 years earlier by the Nouméa Accord. She also referred to the importance of the coming period, urging all parties to show more responsibility, pragmatism and goodwill to avoid the pitfalls of radicalization and to complete the process of reconciliation. Efforts to build the future of New Caledonia could not exclude any of the parties or pit them against each other. Three petitioners made statements at that meeting: the head of the UC-FLNKS et nationalistes group, the President of the Union calédonienne and the representative of Calédonie ensemble (see A/C.4/69/SR.3).

C. Action taken by the General Assembly

71. On 5 December 2014, the General Assembly adopted, without a vote, resolution 69/102 based on the report of the Special Committee transmitted to the Assembly (A/69/23) and its subsequent consideration by the Fourth Committee.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

French Polynesia

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources and is extracted from public sources on the Internet. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: French Polynesia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France.

Representative of administering Power: Lionel Beffre, High Commissioner of the Republic (since 21 August 2013).

Geography: French Polynesia occupies a vast maritime zone in the south Pacific, covering an area comparable to that of Europe (2.5 million km²).

Land area: The 118 islands that comprise French Polynesia, grouped in five archipelagos, represent a land area of about 3,600 km².

Exclusive economic zone: 4,767,242 km².

Population: 268,207 (2012, Statistical Bureau of French Polynesia).

Life expectancy at birth: women: 77.4 years; men: 72.8 years (2013).

Ethnic composition: Ma'ohi (65 per cent); "Demis" (mixed race) (16 per cent); Chinese (5 per cent); Popâa (white) (12 per cent, of whom 98 per cent are French).

Languages: French; Tahitian; Marquesan; Tuamotuan; Mangareva; the Austral island languages: Ra'ivavae, Rapa, Rurutu; English; Hakka Chinese; Cantonese; and Vietnamese.

Capital: Papeete.

Head of territorial Government: Edouard Fritch (since September 2014).

Main political parties: The political groupings in Congress are: Tahoera'a Huiraatira, Union for Democracy, A Ti'a Porinetia.

Elections: The most recent municipal, European and senatorial elections, as well as legislative by-elections, were held in 2014. Senatorial by-elections are scheduled to take place in 2015.

Parliament: The Assembly of French Polynesia consists of 57 representatives elected by universal suffrage.

Gross domestic product per capita: US$ 26,113 (2012).

Unemployment rate: 21.8 per cent (2012).

Economy: Fishing and copra farming are the two traditional activities. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

Monetary unit: Pacific franc, or CFP franc (CFPF).

Brief history: The Polynesian people became established as a result of successive waves of migration from 300 A.D. to the end of the fourteenth century. Europeans first reached French Polynesia in 1521 (Magellan) and started to settle there after the arrival of Captain Wallis (1767). Beginning in the early nineteenth century, the Pomare dynasty extended its influence over both Tahiti and the Tuamotu and Leeward Islands. It signed a protectorate treaty with France in 1842; then, in 1880, King

Pomare V granted France sovereignty over the islands that were dependencies of the Tahitian crown, thereby giving rise to the French Establishments in Oceania. The latter became an overseas collectivity with the creation of the French Union in 1946 and has been referred to as French Polynesia since 1957. The Polynesians reaffirmed their wish to remain a territory of France in a referendum held in 1958 (Source: Institut d'Emission d'Outre-mer).

I. Constitutional, political and legal issues

1. According to the French Government portal set up for collectivities, which is maintained by the General Directorate of Public Finances and the General Directorate of Local Collectivities, the Constitution of 27 October 1946 classified Polynesia as an overseas territory (territoire d'outre-mer (TOM)), and that status was maintained by the 1958 Constitution. The constitutional review of 28 March 2003 amended article 74 of the Constitution in relation to overseas territories and replaced the term "overseas territory" (territoire d'outre-mer) with the term "overseas collectivity" (collectivité d'outre-mer). Legislators were tasked with defining the organizational and operational rules of a collectivity's institutions and the electoral arrangements of its deliberative assembly. This status is adopted after consultation by the deliberative assembly of the overseas collectivity in question. Polynesia's special status was established by Law No. 2004-192 of 27 February 2004, which specified an organization that was different from that of common law and close to an assembly-based parliamentary system. The office of the President of Polynesia was thus created, with a representative role, to direct the actions of the government and administration, and to promulgate the "country laws" (lois du pays). The Polynesian Government, comprising between 7 and 10 ministers, is responsible for guiding the policies of the collectivity. The collectivity's deliberative body is the Assembly of Polynesia, which is elected by direct universal suffrage every five years.

2. According to the French Government portal for collectivities, despite being an original institutional organization, Polynesia does not have political autonomy; but it does enjoy administrative autonomy, and a specific law is applicable to it. Under the principle of legislative and regulatory speciality, the organic legislative body of each overseas collectivity is tasked with establishing the conditions for applying relevant laws and regulations. Metropolitan law is therefore applicable only when explicitly indicated. Moreover, Polynesia's deliberative assembly has certain categories of act, in accordance with its competencies in the legal domain known as "country laws" (lois du pays). These acts have a broad scope under Polynesia's statutory jurisdiction and can be appealed only to the French Council of State (Conseil d'Etat) and not to the Polynesian Administrative Tribunal (Tribunal administratif). This administrative autonomy entails the sharing of jurisdiction by the French State and Polynesia. The State has competency in the areas of "sovereignty, as referred to in article 14 of the Organization Act of 2004" and in 37 other areas, such as intercommunity cooperation, police and civil aviation security, which the collectivity has chosen to attribute to the State. For its part, in addition to ordinary jurisdiction, Polynesia may, subject to monitoring by the State, exercise its jurisdiction in guaranteeing the rights granted throughout the national territory regarding public freedoms (art. 74, para. 11, of Law No. 2004-192 of 27 February 2004).

3. According to the 2013 annual report on French Polynesia published by the Institut d'Emission d'Outre-mer in 2014, the 2004 reform resulted in a long period of political instability, which the adoption of two laws (Organization Act No. 2007-223, abolishing the electoral rule whereby additional seats were attributed to the party having won the majority of votes; and Organization Act No. 2007-1720 on introducing motions of no-confidence) failed to remedy; it should be noted that 11 Governments succeeded one another from 2004 to 2013. In 2011, Organization Act No. 2011-918 on the functioning of institutions was adopted to restore stability.

This law modified the electoral process by re-establishing the electoral rule previously abolished and by creating a single electoral constituency; it also set a limit on the number of ministers and the possibility of overthrowing the government. This law has been implemented since the territorial elections held in May 2013.

4. According to the Institut d'Emission d'Outre-mer, the institutions of French Polynesia consist of: the President, the Government, the Assembly of French Polynesia and the Economic, Social and Cultural Council. The role and competencies of these institutions are defined by statutory organic law.

5. The President is elected by the Assembly of French Polynesia by secret ballot for a five-year term. He forms the Government by appointing the Vice-President and ministers, whom he can dismiss; and he directs the action of the ministers. The President promulgates country laws and signs the acts adopted by the Council of Ministers. He is the originator of the budget and directs territorial administration. His mandate has elements of that of a deputy, senator and mayor, and it can be terminated by a vote of no-confidence by the Assembly, or in the event of the latter's dissolution.

6. The Government serves as French Polynesia's executive power and carries out its policies. It meets every week as the Council of Ministers, which has collective and collegiate responsibility for affairs within its jurisdiction. The Government establishes which draft decisions are to be submitted to the Assembly and which enabling measures are needed to implement them. It also has wide-ranging regulatory power. It is consulted on a mandatory basis, by the Minister for Overseas Territories or by the High Commissioner for Areas of State competency, depending on the case in question.

7. The Assembly of French Polynesia, consisting of 57 members elected by direct universal suffrage for five-year terms, "debates all issues within the collectivity's jurisdiction, other than those devolved to the Council of Ministers or to the President of the Government. The Assembly adopts country laws, over which the Council of State exercises jurisdictional control, and the decisions submitted by the Government. It votes on French Polynesia's budget and accounts and oversees actions taken by the Government. The Government may be overthrown by a motion of no-confidence; the Assembly can be dissolved by a decree issued by the President of the Republic, at the request of local government.

8. The Economic, Social and Cultural Council, a consultative body, consists of representatives from professional groupings, labour unions, organizations and associations involved in the economic, social and cultural life of the collectivity. The Council issues opinions with corresponding recommendations on issues referred to it by the Government and the Assembly. It must be consulted for advice on economic, social and cultural projects, and on draft decisions prepared by the Government or the Assembly of French Polynesia. It may also undertake studies on issues within its jurisdiction, on its own initiative, subject to a two-thirds majority vote of its members. The Council consists of 51 members appointed by their peers for a four-year term, and distributed among three colleges (representatives of wage earners; representatives of entrepreneurs and self-employed workers; and representatives of sociocultural sectors). Its president is elected for two years.

9. According to the 2014 Guide to State services and institutions in French Polynesia, the High Commissioner of the Republic represents the central Government and each of the ministers. He works closely with the President and the Government of French Polynesia, which are in contact with all national stakeholders, to serve the public interest. The safety and security of its citizens is the High Commissioner's main priority. He manages the administrative and technical services of the High Commission for communities and individual beneficiaries. At the request of French Polynesia, he mobilizes the expertise necessary to create high-impact projects, with a view to supporting the economy. The High Commissioner also ensures the coherence of all services provided by the French State. He is the intermediary between the central administrations and the ministers in Paris. Alongside the judicial authorities, administrative judges and auditors, he is responsible for ensuring observance of the law and the legal soundness of the acts adopted by the collectivities. As a representative of the Government, the High Commissioner is responsible for guiding the activities of the French State at sea. The geographical jurisdiction of the High Commissioner covers the maritime zone of French Polynesia, including the waters under French sovereignty and jurisdiction surrounding Clipperton Island, that is, within the limits of the exclusive economic zone.

10. In 2014, the French Council of State invalidated country law No. 2013-17, which in 2013 had re-established the High Council of French Polynesia, a consultative body tasked with advising the President of the territory and the Government in the drafting of country laws, regulatory acts and deliberations. In 2011, the High Council had been eliminated in application of the recommendations of the assistance mission to French Polynesia aimed at reducing operational costs.

11. On 7 February 2013, the Appeals Court of Papeete sentenced Mr. Gaston Flosse, President of the territory, to a suspended prison term of four years and to a fine of CFPF15 million, and furthermore ordered the suspension of his civic, civil and family rights for a period of three years. On 23 July 2014, the Court of Cassation rejected the cassation appeal filed by Mr. Flosse against the decision of 7 February 2013 and the sentence became definitive, despite the request submitted by Mr. Flosse for the suspension order to be reversed.

12. The High Commissioner of French Polynesia, in application of the courts' decisions, issued an order declaring Mr. Flosse's automatic resignation from the office of President of French Polynesia and representative in the Assembly of French Polynesia. He was notified of the order on 5 September 2014. On 12 September 2014, the Assembly of French Polynesia elected Mr. Edouard Fritch President of the territory.

13. On 16 September 2014, the French Constitutional Council confirmed the removal from office of Mr. Flosse as a member of the French Senate.

14. The French Minister for Overseas Territories visited French Polynesia from 9 to 11 March 2015. During a statement made on 11 March 2015, the Minister referred to, inter alia, the contracts signed with the territorial authorities, the particular challenges facing the territory's communities, the territory's social regime, and the status of French Polynesia.

II. Economic conditions

A. General

15. According to the French Ministry for Overseas Territories, fishing and copra production are the two traditional activities in the Polynesian archipelagos, which extend over vast stretches of ocean. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

16. According to a document adopted by the Economic, Social and Cultural Council in October 2013, the territory's economic and administrative activities are heavily concentrated in the island of Tahiti. Papeete is the main source of employment and hub of economic activity. The arrival of the Pacific Experimentation Centre in the early 1960s clearly disrupted the economic balances and social organization inherited from the colonial period and from traditional society. The service industry has developed significantly, to the detriment of the primary sector and artisanal activities. It now plays a preponderant role in the Polynesian economy, generating nearly three quarters of total value added. In that connection, the territory's business directory, published by the Statistical Bureau of French Polynesia, states that three of every four new companies are related to the service industry, a trend that remained constant between 2008 and 2013.

17. The Council has also noted that, since the date of the moratorium on nuclear testing in 1992, efforts to restructure the economy have resulted in the implementation of a Development Charter; and, following the definitive halting of nuclear testing in 1996, a vast strategic programme was adopted to develop economic sectors considered as priorities: tourism, pearl farming and fishing. Nonetheless, 20 years on, French Polynesia has still not achieved the strategic objectives of developing its own resources and reducing its dependence on financial transfers from the State.

18. French Polynesia's single programming document for the tenth European Development Fund in 2013 states that the economic situation has deteriorated since 2008. The economic challenges identified in the document consist of revitalizing currently struggling sectors, on which Polynesian development is based, such as tourism, pearl farming and fishing. Renewable energies and the primary sector (agriculture, aquaculture) and its use by agrifood industries, as well as the new technologies sector, represent new growth hubs. The new technologies sector is open to global opportunities, whereas the other sectors pursue food and energy self-sufficiency. These sectors will need to help create new jobs to meet the needs of both urban centres and the outlying archipelagos.

B. Agriculture, fisheries, aquaculture and pearl farming

19. According to the report of the Institut d'Emission d'Outre-mer mentioned in paragraph 3, Polynesian agriculture is based on small-scale family farms that practise polyculture. Its development is hindered by farmers' lack of training and a shortage of land suitable for crop growing (challenging terrain in the higher islands, poor-quality soil on the atolls, issues related to a lack of land division, etc.). The

Society Islands archipelago is the country's leading agricultural region, accounting for 60 per cent of all farms in French Polynesia. The other archipelagos practise more specialized agriculture. The Tuamotu and Marquise islands are the main producers of copra, while the Austral Islands specialize in truck farming.

20. Thanks to its exclusive economic zone, French Polynesia has major fishery potential. Nonetheless, fishing is currently enduring a crisis driven by both cyclical and structural factors. As a result of the depletion of fishery stocks during the period 2003-2006 and the El Niño climatic pattern, the profitability of fishing fleets has declined. Moreover, the fishing industry lacks skilled workers, and some industrial-scale fishing vessels do not comply fully with the regulations. On the heels of a very lucrative 2012 (+72 per cent) the tonnage of fishing exports plummeted by 21 per cent in 2013. Aquaculture in French Polynesia is practised by five farms specializing in shrimp culture, fish farming, and coral aquaculture. The Fisheries Service estimates annual sales at around CFPF 110 million.

21. The Tahitian pearl, which has become a flagship industry of the Polynesian economy, has undergone a major crisis since the beginning of the 2000s, as a result of falling world prices and challenges in formalizing the industry. In 2013, Tahitian pearls nevertheless accounted for more than half of all export revenues and helped to sustain the inhabitants of outlying islands, particularly the Tuamotu-Gambier islands.

C. Industry

22. According to the Institut d'Emission d'Outre-mer, despite severe structural constraints (specifically, the small domestic market, which restricts economies of scale for businesses targeting local demand; relatively high labour costs, which make Polynesian products less competitive; and heavy dependence on raw materials and energy), French Polynesia has nonetheless succeeded in creating an industry based on three major hubs: agrifood, shipbuilding, and the manufacture of intermediate construction goods, supported by a number of processing activities (furniture, textiles and printing). Local industry development benefits from customs protection in the form of the local development import tax. The Polynesian industrial sector is made up of primarily small units: 85 per cent of the 2,457 industrial businesses listed in the 2013 territorial business directory of the French Polynesia Statistical Bureau employed a maximum of two wage workers; and a total of 104 businesses employed a maximum of 10.

D. Transport and communications

23. According to the French Ministry for Overseas Territories, the port of Papeete is French Polynesia's maritime link to the outside world. It is managed by a public enterprise, the autonomous Port of Papeete. Since its first master plan in 1987, it has expanded its infrastructure to meet the requirements of economic growth. According to the Institut d'Emission d'Outre-mer, its 10-year plans have allowed for the modernization of its facilities. During the period 1999-2009, French Polynesia focused on modernizing the services provided to incoming cruise ships and leisure boats, and on developing infrastructure for fishing and inter-island trade, such as the construction of a ferry terminal, which opened in 2012. The 2009-2019 plan seeks

to improve security, in line with international regulations, and to address the overcrowding in the area currently surrounding the port by, inter alia, relocating the oil terminal and international trade to the reef area to the east of Papeete; redesigning the available land; and replacing the Navy's floating dock.

24. French Polynesia has air connections to all the continents: Asia (Japan); Oceania (New Caledonia, New Zealand, Cook Islands); North America (United States); South America (Chile); and Europe. It has one international airport, in Tahiti (Faa'a), owned by the State. In 2010, operation of the airport was handed over to a mixed-economy enterprise, Aéroport de Tahiti, whose capital is shared between French Polynesia, the French Development Agency (Agence Française du Développement), and the Egis Corporation, a subsidiary of Caisse des Dépôts et Consignations. The archipelagos are serviced primarily by the private sector and by the administrative fleet (limited to public services, such as transporting children to school from the outlying islands).

25. Nonetheless, according to a document adopted by the Economic, Social and Cultural Council in October 2013, French Polynesia is located off the trans-Pacific shipping lanes and air routes that link the Pacific Rim countries, mainly those of Asia, the Americas and Australia.

E. Tourism

26. According to a report published by the Institut d'Emission d'Outre-mer in January 2015, the tourism industry is the leading source of goods and services exported from the territory. With the end of the "nuclear economy" in 1995, tourism became the central pillar of the development of French Polynesia's own resources. It continues to play that role and is now at the heart of economic recovery efforts to lift the territory out of the recession it has undergone for the past five years.

27. The tourism industry represents 2,700 businesses, which generate 15 per cent of French Polynesia's turnover and employ 16 per cent of wage workers. The revenue created by tourism is 3.5 times that of local exports and accounts for nearly 37 per cent of total Polynesian exports of goods and services.

28. The Polynesian tourism industry nevertheless is struggling to maintain its place in an increasingly competitive environment. French Polynesia has benefited neither from the increase in world tourism, nor from the positive economic momentum in the Pacific. According to the Institut d'Emission d'Outre-mer, tourism in French Polynesia grew significantly in the 1990s, with a 6 per cent average annual increase in the number of tourists. Since 2007, however, tourism has slowed considerably, with just 164,400 tourists visiting the territory in 2013, that is, 7 per cent more than in 2010.

F. Environment

29. According to the Institut d'Emission d'Outre-mer, the Government has set a 50 per cent target for the proportion of renewables in total energy use by 2020, as part of its sustainable development strategy. More than 60 per cent of energy consumption is oil-dependent; the remainder comes from hydroelectric power and, to a much lesser extent, from solar energy (photovoltaic). There are two thermal

power facilities on the island of Tahiti (Vairaatoa, Punaruu) and five hydroelectric plants (Papenoo, Faatautia, Vaihiria, Titaaviri and Vaite). On the other islands, thermal power is most prevalent. Wastewater treatment is still largely left to individual initiative, and only 25 per cent of the population is linked up to treatment stations, either individual or collective, with limited effectiveness. The lack of wastewater sanitation is one of the major causes of lagoon and river pollution. An estimated 130,000 tons of sewage is produced each year (75 per cent of it in Tahiti); this major challenge is further accentuated by the scattered geography of the islands and the large distances between them. Responsibility for waste management rests with the communities, which collect and treat domestic solid waste.

30. In a report adopted in October 2013, the Economic, Social and Cultural Council states that owing to its geographic location and its particular environmental, economic and social conditions, French Polynesia is particularly vulnerable to the effects of climate change, such as coral bleaching, the impact of cyclones and rising sea levels in ecosystems and infrastructures, the emergence of new invasive species and potential diseases. Climate change is a serious threat to the environment and the economy: 30 per cent of Polynesian islands are at risk.

III. Social conditions

A. General

31. French Polynesia's single programming document for the tenth European Development Fund in 2013, referring to a study conducted by the French Development Agency, stresses that an estimated 19.7 per cent of households have incomes below the relative poverty line. According to the study, major income gaps remain; the relative poverty of households is expected to deteriorate further; and income instability mainly affects low-income families and those not benefiting from regular wages. Lastly, the inadequate targeting of social transfers and the lack of direct progressive taxation on revenue places much of the responsibility on the government to reduce inequalities and consequently poverty through social policy.

B. Employment

32. According to the Economic, Social and Cultural Council, the labour market is dominated by the service industry, which accounts for 80 per cent of direct wage-paying jobs declared to the Social Security Fund (Caisse de prévoyance sociale). According to the Institut d'Emission d'Outre-mer, the service sector employs 67 per cent of all wage workers, half of whom work in the business sector. Construction employs 7 per cent of workers and manufacturing, 8 per cent. The primary sector, agriculture and the maritime sector together account for 3 per cent of wage workers (2013). The public sector plays an important role, owing to the establishment and activity of the Pacific Experimentation Centre, which has carried out large-scale hiring. This sector now employs nearly 15,000 civil servants, or 13 per cent of the active workforce. In 2013, according to the Institut d'Emission d'Outre-mer, the number of civil servants dropped by 1.5 per cent, particularly affecting public administration workers (-2.7 per cent), as cutbacks in the number of employees, in the form of volunteer resignations, have been carried out in an effort to improve

public finances. The labour market is dominated by wage employment and is heavily influenced by the demographic situation, which is characterized by over one third of the population under 20 years of age, a declining fertility rate and ever-increasing life expectancy, which in turn speeds up population ageing. Forecasts made by the French Polynesia Statistical Bureau suggest that individuals 60 years of age and older will make up 17 per cent of the population in 2027, compared to 9 per cent in 2007.

33. According to the Statistical Bureau, the rate of unemployment has nearly doubled in five years, rising from 11.7 per cent in 2007 to 21.8 per cent in 2012. The doubling of unemployment primarily affected young people (nearly half of all jobless persons are younger than 25 years old) and individuals with the least education. For an education level equal to or less than middle school, the unemployment rate was 27.4 per cent in 2012; it was less than 10 per cent for those who had completed higher studies. Standing at 22.8 per cent, the jobless rate for women was higher than that for men in 2012 (21.1 per cent). In 2014, so-called "employment access" contracts were introduced to facilitate access to the labour market by the unemployed, under certain conditions.

34. According to the Statistical Bureau, employment of wage workers in the business sector grew in December 2014. Over the entire year, employment rose by 0.8 per cent while the average for the past five years was a 1.8 per cent decline. In December 2014, employment grew in the industrial sector and in the hotel and restaurant business, but shrank in the construction and trade sectors.

C. Education

35. According to the Ministry for Overseas Territories, under article 6 of the Autonomy Law No. 96-312 of 12 April 1996, primary and secondary education are the territory's responsibility, while post-baccalaureate and higher education are the responsibility of the State. French Polynesia has 236 primary schools (including pre-primary and special-needs), and 99 secondary schools. The school year is not identical to that of the metropolis, owing to specific climate factors: the long vacations are shorter (roughly 50 days), and Christmas vacations are longer (about one month). Nonetheless, the State guarantees the national equivalency of the diplomas awarded, while French Polynesia has total jurisdiction in terms of educational activities. Mayoralties register enrolments, generally around May each year. French Polynesia offers a varied educational system, with schools specializing in diverse areas. The University of French Polynesia, a public scientific, cultural and vocational establishment, is located in Outamaoro, in the community of Punaauia. Created in 1987 and autonomous since 1999, this young university has been a major hub of higher education and research activities for over 20 years.

36. The General Directorate of Education and Teaching was established on 1 July 2014. It overseas all primary and secondary school curricula in the territory.

37. According to the Economic, Social and Cultural Council, despite the fact that virtually all young generations attend school, performance still lags behind metropolitan France, especially with regard to graduation rates. The baccalaureate diploma rate in French Polynesia is half that recorded in France; and the territory is even further from its goal of a 70 per cent baccalaureate rate set by the 2011 Education Charter.

D. Health care

38. According to a health survey conducted in French Polynesia in 2010, most archipelagos, with the exception of the Society islands, rely on the basic health care services provided by the Government through first-aid stations, infirmaries, clinics and medical centres, whereas basic health care in the Windward and Leeward Islands is provided primarily by the private sector, including physicians, nurses, midwives and physical therapists. Four public hospitals provide local hospital care. Specialised health care is provided by public ambulatory medical services and, to a greater extent, by private specialist physicians, most of whom practise in Tahiti, Moorea and Raiatea. Those suffering from pathologies that cannot be treated in Polynesia are evacuated to New Zealand or metropolitan France. According to the French Polynesia Statistical Bureau, in 2013, there were 187 physicians and 51 pharmacists in the territory. Health care is covered by an insurance company managed by the Social Security Fund. There are three regimes: wage workers; non-wage-workers subject to employee and employer contributions; and a so-called solidarity regime, for indigent persons not subject to contributions. While the geographic and demographic situation of French Polynesia is beneficial to some areas in that it allows for local health care targeted to small communities, it nevertheless presents challenges, specifically: providing a sufficiently broad range of community-based care to meet needs; ensuring an even distribution of services throughout the territory; and preventing delays in reaching and evacuating patients in emergency situations. As a result, providing quality health care to the entire population comes at a very high cost, according to the 2010 health survey conducted in French Polynesia.

39. In June 2014, the French Court of Audit (Cour des Comptes) published a thematic report entitled, "Health in the overseas territories: a responsibility of the Republic". Some of the information contained in the report is reproduced below.

40. A few of the 121 islands that make up French Polynesia are located more than 1,500 km from Papeete. Three fourths of the population lives in Tahiti and Moorea. Most of the 76 inhabited islands have a clinic, an infirmary or a first-aid station.

41. In French Polynesia, 69.9 per cent of inhabitants are overweight; of these, 40.4 per cent are obese. Some 70 per cent of individuals over 18 years of age are overweight and 40 per cent suffer from obesity. The report notes that 74.2 per cent of those individuals identified in the 2010 health survey as suffering from high blood pressure were not receiving treatment. More needs to be done in French Polynesia to address addictive behaviours. Significant prevention initiatives had been led with regard to French Polynesian school and university health services. Polynesian school medical services monitored children's health over a long period; they received more frequent visits and identified problems earlier than was the case in metropolitan France.

42. The distance between islands in French Polynesia made it a pioneer in telemedicine: as early as 1991, electrocardiograms were being shared by hospital emergency room doctors on different islands. With the arrival of the Internet in 2000, such exchanges expanded to include photographs of patients and radiological imaging. In 2005, when emergency medical services were established, physicians set up a system for sharing still images. As of recently, a pilot project involving the

high-speed transmission of moving images is being piloted by three outlying islands.

43. The Audit Court's report also contains an annex on the effects of nuclear tests carried out in French Polynesia. The report notes, inter alia, that from 2010 to 30 June 2013, the Committee for the Compensation of Nuclear Test Victims received 843 claims, 12 of which resulted in compensation and others of which are still under consideration. In 2007, a medical centre was established by the territory and the French Government to provide health services for former civil and military workers on the Pacific test sites and for the communities living or having lived near those sites. The Court refers to a report on the application of Law No. 2010-2 of 5 January 2010 on the recognition and compensation of victims of the French nuclear tests, which was presented in 2013 to the senatorial committee for the monitoring of the application of French Senate laws.

44. Following the Fukushima accident in 2011, the report of the French Court of Audit notes that the Institute for Radioprotection and Nuclear Safety increased the frequency of its analyses and communication campaigns (air, grass, milk, seawater, fish, etc.), as well as the number of measures, but did not identify any risk judged significant.

45. In a statement made on 11 March 2015, the French Minister for Overseas Territories, while visiting the territory, noted a number of improvements in nuclear-related matters, including the Morin Act (Law No. 2010-2 of 5 January 2010), which was revised to extend its geographic perimeter, and the Committee for the Compensation of Nuclear Test Victims, which is now an independent administrative authority, and no longer reports to a ministry. The Minister also stated that Polynesians required assistance in preparing claims for compensation, noting that the process was complex owing to the guarantees it provided, and she invited the High Commissioner and the territorial government to consider what means of assistance might be provided to submitters of claims. She added that it was important to take the heat out of the debate and to consider ways to resolve pending issues calmly. The Minister, referring to an idea submitted by the President of the territorial government to create a country/State working group on the subject, said that she would propose its establishment to the Prime Minister.

46. The Court of Audit of French Polynesia has, in the framework of its programme of work, begun its examination of the management of the French Polynesian Hospital for the financial years 2008 to 2013, in application of Organization Law No. 272-12 of the code of financial jurisdiction. On 23 May 2014, the Court issued its concluding observations.

IV. Consideration by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

47. The Special Committee considered the question of French Polynesia at its ninth meeting on 27 June 2014, pursuant to General Assembly resolution 68/93.

Two petitioners addressed the Special Committee: Mr. Oscar Temaru, member of the Assembly of French Polynesia, and Senator Richard Ariihau Tuheiava.

48. Mr. Temaru said that a series of commemorative events had been held throughout the Territory on 17 May 2014 to mark the one-year anniversary of the reinstatement of French Polynesia on the list of Non-Self-Governing Territories. A permanent memorial had also been unveiled, symbolizing the Ma'ohi people's struggle to overcome colonialism. That struggle was supported by the international community, in particular the Pacific island countries and the Movement of Non-Aligned Countries. The adoption of the draft resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/2014/L.9), which mirrored the language of other United Nations resolutions and legal opinions regarding the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, was of particular importance to the Ma'ohi people, as their marine resources covered some 5 million km^2 of seabed and contained vast amounts of minerals. He said he looked forward to the report that the General Assembly had requested, in its resolution 68/93, on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in the Territory. He drew attention to a recent independent report on French nuclear testing in French Polynesia, which would be submitted to the General Assembly. Noting that the draft resolution on the question of French Polynesia referred to General Assembly resolution 68/73 on the effects of atomic radiation, he said he hoped that the United Nations Scientific Committee on the Effects of Atomic Radiation would consider including French Polynesia in its programme of work, particularly as the Mururoa and Fangataufa atolls were still considered French military property, making it difficult to conduct truly independent surveys.

49. Mr. Tuheiava said that it was regrettable that the administering Power had failed to transmit information on French Polynesia to the Committee, as it was required to do under Article 73 *e* of the Charter of the United Nations. During the Pacific regional seminar held in Fiji in May 2014, the representative of the administering Power had left the room when the question of French Polynesia had been discussed. The administering Power exercised unilateral control over the entire electoral system in French Polynesia, including the authority to write and amend electoral ordinances, to determine voter eligibility, and to confirm or annul election results. A system of "bonus seats" in the French Polynesian legislature had been created to award additional seats to political parties that favoured the Territory's continued dependent status, and French police and military personnel had been included in the electoral rolls of French Polynesia. Moreover, the resources available for electoral campaigns were unevenly distributed, including access to electronic media and the availability of marine and air transport to the many outlying islands. The colonial status quo in French Polynesia was inconsistent with a fair and genuine process of self-determination. Steps should therefore be taken to transfer powers to the people of French Polynesia, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

50. At its ninth meeting, the Special Committee adopted, without a vote, a draft resolution submitted by the Committee Chairperson (see A/AC.109/2014/L.16).

B. Special Political and Decolonization Committee (Fourth Committee)

51. At the third meeting of the Fourth Committee, held on 8 October 2014, Mr. Oscar Temaru, elected representative of the Union pour la démocratie in the Assembly of French Polynesia, noted that the draft resolution on French Polynesia before the Committee specifically recognized the inalienable rights of the peoples of Non-Self-Governing Territories to their natural resources and their right to establish and maintain control over the future development of those resources. That doctrine was critical to the disposition of Ma'ohi Nui's marine resources, which comprised vast amounts of minerals and rare earth across some 5 million square kilometres of ocean. The administering Power was unilaterally limiting the scope of the Territory's authority over those resources, but the rule of law must prevail. He noted that France was a member of the International Seabed Authority, whereas Ma'ohi Nui, unlike all independent Pacific nations, was not. Hence, the Territory fully expected that its ownership and control of the resources would be given effect during the self-determination process. According to Mr. Temaru, the administering Power was already planning exploitation and had established a special committee on strategic minerals in which the Territory had no say. Moreover, without control over immigration, the Territory was powerless as job seekers from France flocking to its islands easily saturated its resource-related job market. Therefore, two issues required the full attention of the United Nations: immigration control, which was currently exerted exclusively by the administering Power, and the need to define eligibility criteria for voters in the self-determination process.

52. At the third meeting of the Fourth Committee, held on 8 October 2014, Mr. Richard Tuheiava (Front de libération de la Polynésie) said that his political party had been disappointed that the report of the Secretary-General on the environmental, ecological, health and other impacts as a consequence of the 30-year period of nuclear testing in French Polynesia (A/69/189) had been issued, perhaps strategically, almost a month after the Special Political and Decolonization Committee on decolonization had completed its work the previous June, making it impossible for it to review the findings and for the people of the Territory to have a chance to provide their views. According to him, the report was far from comprehensive and had barely scratched the surface. The report should be followed by an in-depth examination within the appropriate mechanism of the United Nations system. Noting the link between the effects of nuclear testing on French Polynesia and the draft resolution on the effects of atomic radiation before the Committee, the petitioner requested the General Assembly's assistance in recommending the inclusion of French Polynesia in the agenda of the United Nations Scientific Committee on the Effects of Atomic Radiation.

53. At the same meeting, another petitioner, Mr. Moetai Charles Brotherson, speaking in his personal capacity as deputy mayor of Tahiti, said that all his Territory's communes faced problems owing to the administering Power's application of the same municipal code that governed metropolitan France, which did not take into account their specific needs and constraints. The same applied at the Territorial level, where electoral laws were drafted, adopted, updated and enforced unilaterally from Paris without any provision for local consent. The Government and President of the Territory were approved, controlled, judged and dismissed by France, which even had the power — actually used twice — to disband its Legislature.

54. At its seventh meeting, on 14 October 2014, the Fourth Committee adopted draft resolution V (see A/69/23) without a vote.

C. Action taken by the General Assembly

55. On 5 December 2014, the General Assembly adopted, without a vote, resolution 69/103, based on the report of the Special Committee transmitted to the Assembly (A/69/23) and its subsequent consideration by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that it is ultimately for the people of French Polynesia to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that regard, called upon the administering Power in cooperation with the territorial Government and appropriate bodies of the United Nations system to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination, in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(c) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(d) Regretted that the administering Power had not responded to the request to submit information on French Polynesia under Article 73 *e* of the Charter;

(e) Reaffirmed that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requested the administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

(f) Called upon the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

(g) Took note of the report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia, prepared pursuant to paragraph 5 of General Assembly resolution 68/93 of 11 December 2013;

(h) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventieth session.